

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

IN RE:	)	CHAPTER 7
FRED MILANI,	)	CASE NO. 15-54748
DEBTOR.	)	

**MOTION FOR EX PARTE ORDER REOPENING CASE TO PURSUE DISCHARGE  
VIOLATIONS AND OTHER RELIEF AGAINST CREDITORS IN THIS PROCEEDING**

COMES NOW Debtor, Fred Milani, by and through their attorney of record, and respectfully move the Court pursuant to Section 350(b) of Title 11 of the United States Code, Rule 9024 of the Rules of Bankruptcy Procedure and Rule 60 of the Federal Rules of Civil Procedure for the entry of an ex parte order to REOPEN this case in order to pursue possible discharge violations against FXM, P.C. and/or Frank X. Moore (hereinafter "FXM").

**THE DEBTORS** respectfully show unto this court that after this case was discharged and closed, FXM initiated legal proceedings against Debtor regarding a pre-petition debt(s). The actions by FXM impair the Debtor post-discharge, have resulted in actual damages, and deprived the Debtor of the Fresh Start envisioned by the Court's Order of discharge.

**THE DEBTOR** alleges that it would be in the interest of justice to reopen this case and allow the Debtor to proceed with the legal action described and they so move the Court for such relief and for such additional relief as the Court may deem just and proper. Pursuant to 28 U.S.C. § 1930 a fee to reopen should not be charged to the debtor, since this matter relates to his discharge.

This Thursday, December 07, 2017.

Respectfully submitted,

\_\_\_\_\_/s/\_\_\_\_\_  
Charles M. Clapp, 101089  
Attorney for Debtor  
5 Concourse Parkway NE  
30<sup>th</sup> Floor  
Atlanta, Georgia 30328  
(404) 585-0040 (Office)  
(404) 393-8893  
charles@lawcmc.com

**CERTIFICATE OF SERVICE**

The undersigned hereby states that I am more than eighteen years of age, and that on this day I served a copy of the within Motion filed in this Bankruptcy Case upon the Trustee electronically and upon the following by depositing a copy of same in the United States Mail with sufficient certified postage thereon to ensure delivery:

M. Denise Dotson, Chapter 7 Trustee  
M. Denise Dotson, LLC  
170 Mitchell Street  
Atlanta, GA 30303

Fred Milani  
2267 Echo Trail NE  
Atlanta, GA 30345

FXM, P.C.  
730 E 2<sup>nd</sup> Street, Suite 106  
Blue Ridge, GA 30513  
Atlanta, GA 30338  
Attn: Francis X. Moore, Registered Agent

Frank X. Moore  
373 Campbell Camp Circle  
Blue Ridge, GA 30513

This Thursday, December 07, 2017.

Respectfully submitted,

\_\_\_\_\_/s/  
Charles M. Clapp, 101089  
Attorney for Debtor  
5 Concourse Parkway NE  
30<sup>th</sup> Floor  
Atlanta, Georgia 30328  
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